

UNITED STATES DISTRICT COURT
for the
District of South Carolina

<u>Tony Lamar Cunningham</u>)	
<i>Petitioner</i>)	
v.)	Civil Action No. 5:19-cv-1536-JMC
<u>Warden of McCormick Correctional Institution</u>)	
<i>Respondent</i>)	

JUDGMENT IN A CIVIL ACTION

The court has ordered that *(check one)*:

☐ the petitioner *(name)* _____ recover from the respondent *(name)* _____ the amount of _____ dollars (\$___), which includes prejudgment interest at the rate of ____ %, plus postjudgment interest at the rate of ____ %, along with costs.

☐ the petitioner recover nothing, the action be dismissed on the merits, and the respondent *(name)* _____ recover costs from the petitioner *(name)* _____.

☒ other: This petition is dismissed without prejudice and without requiring Respondent to file a return. A certificate of appealability has not been issued.

This action was *(check one)*:

☐ tried by a jury, the Honorable _____ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable _____ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable J. Michelle Childs, United States District Judge who adopts the Report and Recommendation of the Honorable Kaymani D. West, United States Magistrate Judge.

Date: March 6, 2020

CLERK OF COURT

s/Debbie Stokes
Signature of Clerk or Deputy Clerk